

Docket Item #4  
BZA CASE #2004-00056

Board of Zoning Appeals  
February 10, 2005

**ADDRESS:** 415 WOLFE STREET

**ZONE:** RM, RESIDENTIAL

**APPLICANT:** DOUGLAS AND GRACE MARIE TURNER, OWNERS

**ISSUE:** Special exception to construct a two story addition in a required side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-1108(C)(1)	Side Yard (North)	5.00 feet	0.50 feet	4.50 feet

(insert sketch here)

**STAFF CONCLUSION:**

Staff recommends **approval** of the request for a special exception because the request meets the criteria for a special exception. Should the special exception request be granted, the proposed design must be approved by the Board of Architectural Review prior to approval for construction.

**I. Issue**

The applicant proposes to construct a two-story 14.50' by 14.30' brick addition on the north facade of the existing three-story dwelling located at 415 Wolfe Street. The applicant requests a special exception to construct the proposed addition by extending the existing north facade wall located 0.5 feet from the north property line.

**II. Background**

The subject property is comprised of three lots including 401, 403, 415 Wolfe Street. The combined lot frontage along Wolfe Street totals 166.50 feet. The lot contains 100.00 feet of frontage on South Royal Street. A 10.00 foot wide alley extends from Wolfe Street located along the entire west property line both of which total 113.58 feet in length. A second 9.00 foot wide alley extends from South Royal Street along the north property line. The alley extends 101.33 feet of the north property line.

The existing dwelling is located on the lot addressed 415 Wolfe Street. The existing three-story dwelling is a masonry structure built on the west side property line, 0.50 feet from the north side property line, and 17.50 feet from the front property line adjacent to Wolfe Street. A two-story masonry pool house is connected to the main dwelling by an open colonnade on the east of the main dwelling. The pool house is located 1.10 feet from the north side property line, 49.00 feet from the front property line adjacent to South Royal Street, and approximately 74.00 feet from the front property line adjacent to Wolfe Street.

**III. Discussion**

The applicants propose to construct a two-story addition to be located in the northwest corner of the main dwelling. The addition will consist of a family room on the first level and a bathroom on the second level. The proposed masonry addition would measure 14.50 feet by 14.30 feet and will add a 414.70 square feet to the existing dwelling for a total of 5,835.79 net square footage on the property. The addition would extend the existing north facade wall to a total of 29.60 feet along the north property line. The new addition would measure approximately 20.25 feet in height from grade to the eave.

The addition will be constructed of brick with a standing seam metal roof to match the existing materials. The addition will have shuttered false window openings in the north facade in compliance with the Unified Statewide Building Code which prohibits wall openings within 5.00 feet of the property line.

**BZA CASE #2004-00056**

The subject property is located in the Old and Historic Alexandria District. Additions visible from the public right-of-way require review and approval of the Old and Historic Alexandria District Board of Architectural Review prior to approval of building permits for construction.

There have been no variances previously granted for the subject property. There have been no similar variances for two story additions in the immediate area heard by the Board of Zoning Appeals.

**IV. Master Plan/Zoning**

The subject property is zoned RM, residential and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and identified in the Old Town Small Area Plan for residential land use.

**V. Requested Special Exception  
Section 3-1108(C)(1) Side Yard**

The RM zone requirements state that each residential lot of record as of February 10, 1953 which is at least 35.00 feet wide must provide two side yards of a minimum 5.00 feet each. The subject property currently maintains a north side yard setback of 0.50 feet. The proposed addition will extend an existing dwelling wall which is constructed 0.50 feet from the north property line but will not further decrease the setback. The applicant requests a special exception of 4.50 feet.

**VI. Noncomplying Structure**

The existing dwelling at 415 Wolfe Street is a noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
West Side (Main Dwelling)	5.00 feet	0.00 feet	5.00 feet
North Side (Main Dwelling)	5.00 feet	0.50 feet	4.50 feet
North Side (Pool House)	5.00 feet	0.40 feet	4.60 feet

**VII. Staff analysis under criteria of section 11-1302**

This case asks the Board of Zoning Appeals to rule on whether a proposed second-story addition located within the required west side yard meets the standards adopted for a special exception for additions.

The rules for additions built on noncomplying structures reflect Council's decision that property owners should be able to seek relief for modest improvements to their existing homes when the proposal involves the expansion of only one noncomplying wall projecting into a required yard. In such cases, an applicant no longer needs to file a variance and argue a legal hardship. Under the recently adopted rules, the Board must determine whether the improvement affects neighboring homes, whether the improvement is similar in character

to other buildings within the immediate neighborhood and, finally, whether it represents the only reasonable location on the lot to build the proposed addition. The specific standards are:

1. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception will alter the essential character of the area or the zone.
4. Whether the proposal will be compatible with the development in the surrounding neighborhood.
5. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

**VIII. Neighborhood Impact**

The proposed improvements will not be detrimental to public welfare nor to adjacent properties. Only a small portion of the two-story addition will be visible from a public right-of way and would yield a minimal visual impact as viewed from the street. The property immediately adjacent to the site of the proposed improvements is a church parking lot at 308 South Pitt Street which is adjacent to the subject property along the north property line. Staff finds that there would be no detrimental impact to the church parking lot since none of the parking spaces would be physically impacted and light and air enjoyment would not decrease. The proposed addition will visually impact the property owners at 317 South Royal. However, the addition would be located approximately 55.00 feet away from the rear of their dwelling. Given the location and distance from the neighboring dwelling, the proposed addition would not impact the neighboring property owners' enjoyment of light and air. The applicant has taken necessary design steps to ensure that no wall openings occur in the north wall within 5.00 feet of the property line in compliance with state fire code regulations. Staff concludes that there is neither public nor significant neighborhood impact.

**IX. Neighborhood Character**

The two-story addition proposed by the applicant is in keeping with the scale and mass of adjacent properties. The subject property is unique in that it is the largest residential lot on its block and it exceeds the minimum required lot size for the RM zone by over 16,000 square feet. Many of the lots in this block conform to the minimum lot size standard of the

RM zone which allow significantly smaller lots of a minimum of 1,452 square feet or as small as 1,000 square feet. Thus, these lots contain significantly smaller dwellings as allowed by the floor area ratio regulations for this zone. They will encompass only 6% of the total gross square footage of the existing dwelling adding only 414.70 square feet to the dwelling. Staff finds that the location of the proposed addition and the modest increase in size will have no detrimental impact on the character of the neighborhood.

**X. Location of Improvements**

The request for a special exception though modest, presents a dilemma. At over 17,000 square feet, the subject property area far exceeds the minimum 1,000 square foot lot size prescribed by the RM zone. Generally an RM zoned lot of this size affords the unique opportunity to construct the proposed addition elsewhere on the property without the need for a special exception. However, Staff finds that the historic integrity of the existing dwelling may be adversely impacted should the addition be located in another site on the lot. The original west flounder section of the building is a historically significant structure which dates back to the 18<sup>th</sup> century. A two-story addition onto this section would be architecturally difficult to integrate into the existing building and would result in a visually in-cohesive design which would destroy the historic integrity of the building. Alternatively the proposed addition could be located on the south facade of the more recent east wing of the building. This location would protect the design of original flounder section and would be located outside of required yards negating the need for an exception. However, an addition in this location would have a greater visual presence on the street frontage and impact the central open space perceived from the public right of way.

Alternatives exist for relocating the addition in non-required yards given the size of the lot and the location of the existing dwelling on the lot. However, staff believes that the preservation of the central open space and the preservation of the historic integrity of the existing dwelling are compelling arguments to support the special exception request.

---

**XI. Staff Conclusion**

Staff recommends approval of the request for special exception with the condition that the proposed building design must be reviewed and approved by the Board of Architectural Review.

**DEPARTMENTAL COMMENTS**

Legend: C - code requirement R - recommendation S - suggestion F - finding

\* The applicant is advised that if the variance or special exception is approved the following additional comments apply.

Transportation and Environmental Services:

- C-1 Change in point of attachment or removal of existing overhead utility service, will require undergrounding or variance.

Code Enforcement:

- F-1 The proposed addition is located within 5 feet of an interior lot line. All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance.
- C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-3 A soils report must be submitted with the building permit application.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-7 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 There are no specimen trees affected by this plan.

Historic Alexandria (Archaeology):

- F-1 This property has the potential to yield significant archaeological resources dating to the 18<sup>th</sup> and 19<sup>th</sup> centuries. The possibility exists for the recovery of materials that could provide insight into the lives of Quakers and African Americans in Alexandria. The primary significance of the site stems from its association with John Butcher, a merchant and member of one of City's prominent Quaker families. The nucleus of the house at 415 Wolfe may date from at least the 1780s, and in 1783, the first Quaker meeting in Alexandria may have been held in John Butcher's residence on the property. In addition, the 1877 G.M. Hopkins Insurance Atlas indicates that there were at least three other residences on the current lot near the corner of Wolfe and S. Royal Streets. The corner property also served as a barbershop for Jimmy Redd, an African American businessman. While the proposed addition is small and is not in the vicinity of any of the known structures on the lot, there is the potential for construction activities to uncover buried evidence of past activities.
- R-1 Contact Alexandria Archaeology (703-838-4399) two weeks prior to any ground disturbing activity (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of The Zoning Ordinance) on this property. City archaeologists will provide on-site inspections to record significant finds.
- R-2 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds



**BZA CASE #2004-00056**

- R-3 The above statements in R-1 and R-2 must appear in the General Notes of the site plan so that on-site contractors are aware of the requirements.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.